

**PLANNING BOARD**  
**Meeting Minutes**  
**Tuesday,**  
**March 4, 2014**  
**Town Hall, 120 Main Street**  
**7:00 PM**

1 Present: J. Simons, R. Rowen, D. Kellogg, L. Rudnicki, L. McSherry, M. Colantoni

2 Absent:

3 Staff Present: J. Tymon, J. Enright

5 Meeting began at 7:00 pm.

7 **ANR**

8 140 Academy Road: Change of lot line to convey land to the North Parish Church.

9 J. Tymon: This Form A creates two new lots, one of which is marked unbuildable.

10 Brian Vaughn, Attorney representing North Parish Church: There are two different systems for  
11 recording land at the Registry of Deeds. The North Parish Church parcel is a Registered Land  
12 parcel. Robert Steven's parcel is Recorded Land. This proposal identifies one lot that is non-  
13 conforming as an "unbuildable lot" on the plan. This allows one piece of land to be conveyed to  
14 the North Parish Church.

15 J. Tymon: This is being done because there is a setback issue with the new Parish Hall that is  
16 going to be built.

17 **MOTION**

18 A motion was made by D. Kellogg to direct the Town Planner to sign-off on the Form A for 140  
19 Academy Road. The motion was seconded by R. Rowen. The vote was unanimous, 6-0 in  
20 favor.

22 **BOND RELEASE**

23 26 Main Street, Jeffco, Corp: Request for release of a \$15,000 performance bond.

24 J. Tymon: This is for the eight unit townhouse complex. The landscaping, roadway markings,  
25 and signage have been completed. A letter from Andover Consultants documenting changes to  
26 the approved Plan has been received. The changes include a masonry wall at the entrance  
27 instead of a split rail fence, small utility room at the entrance, and a proposed sewer manhole was  
28 eliminated due to a conflicting gas main. DPW has reviewed the changes.

29 L. Rudnicki: Did L. Eggleston review the changes? Gravel has replaced an intended landscape  
30 area, a manhole has been removed, and the memo states there is 495 square feet of additional  
31 impervious surface vs. the original plan.

32 J. Tymon: The Conservation Commission has reviewed the project and they are OK with the  
33 landscaping changes. Their requirements have been met. The additional impervious surface is  
34 due to the masonry wall vs. the designed split rail fence.

35 BOARD: General discussion about the parking spaces shown on the as-built plan that straddle  
36 the lot line and the location of the additional impervious surface. The Condo Association should  
37 be aware if the abutting property is parking on their property. An easement may be necessary.

38 G. Hughes: There is enough room on the abutting property for them to park. The property line  
39 can be better defined with a berm or some other way so that they cannot park on this property.

40 J. Simons: This needs to be resolved before the bond can be released.

42 **DISCUSSION**

**PLANNING BOARD**  
**Meeting Minutes**  
**Tuesday,**  
**March 4, 2014**  
**Town Hall, 120 Main Street**  
**7:00 PM**

Zoning Bylaw: Wind Turbines and Registered Marijuana Dispensaries.

J. Tymon: The Medical Marijuana bylaw draft has been updated to include a minimum one acre lot size.

Board: Reviewed the draft document. General discussion surrounding Medical Marijuana recommendations for parcel size, location, and setbacks from schools, child care facilities, libraries, playgrounds, etc. Required annual reports documenting the renewal of the State license and a copy of the renewal submittal package should be submitted to the Special Permit Granting Authority and the Town Clerk. The Police, Fire, Health, and Building departments should receive copies of the annual license renewal and emergency contact information.

J. Tymon: Provided draft bylaw for Wind Turbine and an overview/summary of other, non-coastal, town bylaws related to wind turbines.

Board: General discussion surrounding maximum height, setbacks, allowed zoning districts, noise levels, and the strobe effect. General consensus was that this could be an allowed use in all districts but constrained with height limits and setbacks large enough that people will be forced to find locations remote from where anybody lives or the criteria could be defined separately for commercial vs. residential use. Another option would be to establish and overlay district.

J. Simons: Revise the draft based on tonight's discussion and re-issue for review and discussion at the next meeting.

**MISCELLANEOUS**

J. Simons: The mill building located on High Street has been sold (current location of Schneider Electric and Converse). RCG has purchased the building. These are the same owners of the mill building across the street. This building is located within the Downtown Overlay District.

J. Tymon: Displayed an Existing Site Plan of the mill buildings and parking areas located at 1 High Street. The new owner would like to come before the Board to discuss creating some more parking in the courtyard area located on High Street. The next phase would be to reconfigure some of the buildings and demolish some of them. There has been a preliminary meeting with the Town to discuss some general ideas on the mixed uses they would like to have in the buildings. They would like the Planning Board to be able to allow uses and to waive dimensional criteria/design/parking within the Downtown Overlay.

J. Simons: We should understand the intent better, maybe with a specific example. Any change would apply to all locations within the district. Maybe they could come to the next meeting for a discussion.

L. Rucnicki: Maybe a new overlay should be placed on this one property and the one across the street. These are unique properties. This would allow for some leeway.

**North Parish Church**

J. Simons: J. Smolak should be coming to the next meeting to discuss a proposed extension to the Church. They have chosen not to come before the Board for a public hearing for Site Plan Review; however, I have requested that J. Smolak come before the Board for a hearing in public. This would allow for us to find out exactly what they are doing and give some input. They have been to the Historical District Commission and received approval. Requested that J. Tymon

**PLANNING BOARD**  
**Meeting Minutes**  
**Tuesday,**  
**March 4, 2014**  
**Town Hall, 120 Main Street**  
**7:00 PM**

confirm that they have been before this Commission and that they have gained their approval. They have also gone before the Conservation Commission for approval.

**MEETING MINUTES**

Approval of February 4, 2014 meeting minutes.

**MOTION**

A motion was made by L. Rudnicki to approve the February 4, 2014 meeting minutes. The motion was seconded by M. Colantoni. The vote was unanimous, 6-0 in favor.

**ADJOURNMENT**

**MOTION**

A motion to adjourn the meeting was made by R. Rowen. The motion was seconded by M. Colantoni. The vote was unanimous, 6-0 in favor.

The meeting adjourned at 7:45 pm.

**MEETING MATERIALS:** Agenda, ANR: Plan of Land in North Andover, Massachusetts Robert Stevens dated Feb. 26, 2014, 26 Main Street: Letter dated January 2, 2014 from Andover Consultants Inc. re: Site Plan Special Permit, As-Built Plan & Profile dated December 30, 2013, Discussion Item: Draft Wind Turbine Bylaw 1/28/14, Summary of Wind Turbine Bylaws, Wind Turbine Bylaws, Wind Turbine Bylaws surrounding towns, 105 CNR: Department of Public Health, Draft Medical Marijuana Bylaw Version 2 February 13, 2014, Article XX, Amend Zoning Map-Med. Marijuana Overlay District, North Andover MIMAP aerial photo MMOD 3, Wind Speed Map North Andover, Oliver: Mass GIS's online mapping tool Wind Speed Map; North Andover Zoning Map, Predicted Community Reaction for Wind Turbines in a Quiet Area document, Article---Do Wind Turbines Cause Health Problems? Article---Wind Turbine Syndrome' Blamed for Mysterious Symptoms in Cape Cod Town, Article---For Those Near, the Miserable Hum of Clean Energy, Document related to wind turbine shadow flicker and sound, High Street: Emails from John Smolak dated 3/3/2014, 3/3/2014, and 3/4/2014, Existing Site Plan 1 High Street, RCG West Mill Proposed Zoning Text Amendments to North Andover Bylaw, Draft meeting minutes 02/04/14.